



**City of Cleveland**  
Frank G. Jackson, Mayor

**Department of Public Health**  
Division of Air Quality  
75 Erieview Plaza, Second Floor  
Cleveland, Ohio 44114-1839  
216/664-2297 • Fax: 216/420-8047  
[www.clevelandhealth.org](http://www.clevelandhealth.org)

**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7014 3490 0000 0065 8371  
RETURN RECEIPT REQUESTED**

June 22, 2015

Terri Brunson, Owner  
Arco Recycling, Inc.  
520 South Main Street  
Suite 2519  
Akron, OH 44311

NON-HPV

**RE: ARCO RECYCLING, INC, 1705 NOBLE ROAD, EAST CLEVELAND, OH 44112**

**FACILITY ID: 13-18-18-8703**

**NOTICE OF VIOLATION: OPERATING AN EMISSION SOURCE WITHOUT A PERMIT; FAILURE TO CLEAN PAVED STREETS; FAILURE TO MONITOR AND MAINTAIN RECORDS; AND INCORRECT PERMIT EVALUATION REPORT (PER) FOR 2014.**

Dear Ms. Brunson:

On May 22, 2015, the Cleveland Division of Air Quality (CDAQ) inspected Arco Recycling, LLC (Noble Road Properties, LLC) located at 1705 Noble Road in East Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Arco Recycling's operation of unpaved roadways is a violation of Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1), and Ohio Revised Code (ORC) Sections 3704.05(F) and (G) for operating an emission source without first applying for and obtaining a Permit-to-Install/Operate (PTIO).

Additionally, Arco Recycling's operation of emission unit (EU) F001: Construction and demolition debris storage piles and material handling is in violation of the PTIO P0117307 C.1.d. for failing to monitor and maintain records.

Also, Arco Recycling is in violation of PTIO P0117307 C.1.e.3. and PTIO P0117248 for submitting an incorrect 2014 PER. This is a violation of OAC Rule 3745-15-03(D)(1)(c).



Moreover, Arco Recycling failed to meet complete recordkeeping requirements for EU F002: Paved roadways and parking areas, in violation of PTIO P0117248 C.1.d.3.d.

Arco Recycling has also failed to promptly remove earth and/or other material from paved streets deposited by trucking. This is a violation of OAC 3745-17-08(B) and PTIO P0117248 C.b.2.c.

Each of the aforementioned violations of the PTIOs P0117307 and P0117248 are violations of ORC Section 3704.05(C) for violating the terms and conditions of the permits.

CDAQ requests that Arco Recycling submit the following:

- Two (2) weeks of monitoring and recordkeeping for EU F001;
- Records of vehicle weights on-site per operating day to determine compliance with emissions limitations with EU F002;
- A corrected PER that includes deviations of monitoring and recordkeeping requirements;
- A Corrective Action Plan explaining how Arco Recycling will promptly remove earth and/or other material from paved streets deposited by trucking.

Also, CDAQ requests that Arco Recycling begin keeping records for EU F002 of days on which control measures were implemented per quarter, and the number of days where precipitation was sufficient to not require control measures per quarter, in accordance with PTIO P0117248 C.1.d.3.d.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Arco Recycling submit the above information within thirty (30) days to the following enforcement representative:

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Andrew Smith  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

Additionally, CDAQ requests that Arco Recycling submit an application for a PTIO for the unpaved roadways within thirty (30) days of receipt of this letter to the following address:

Permit Section  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839



Your written response to this letter must be received by CDAQ within thirty (30) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

PTIO applications may be completed through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned. PTIO applications can also be downloaded at <http://www.epa.state.oh.us/dapc/fops/eac/eacforms.aspx>

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in ORC Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars (\$25,000) or imprisonment for not more than one year, or both, for each violation.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Andrew Smith at (216) 664-4181. All correspondence with CDAQ must include the Ohio EPA facility identification number for Arco Recycling: 13-18-18-8703.

Sincerely,  
*Smida Krimmy for VW*

Valencia White

Chief of Enforcement, CDAQ

VW/as

cc: Michael E. George, S&K Statutory Agent Services, Inc.  
Mike Riley, Arco Recycling, Inc.  
Christina Beynon, Arco Recycling, Inc.  
Lynn Sowers, DMWM-NEDO  
George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V (Electronically)  
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encl: 2014 PER form